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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/478,916	01/06/2000	JARED L. ZERBE	9797-050-999	2374

24341 7590 07/08/2003

Pennie & Edmonds, LLP  
3300 Hillview Avenue  
Palo Alto, CA 94304

EXAMINER
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VO, TIM T

ART UNIT	PAPER NUMBER
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2189

DATE MAILED: 07/08/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

### ***Interview Summary***

1. Examiner contacted Mr. Garry Williams (31,066) on July 2, 2003 to confirm the election response filed on 6/5/03. On page 1 of the response, the applicant elected group IV without traverse, which is corresponding to claims 26-30 and newly added claims 124-182. However, on page 3, the applicant indicates to withdraw claims 1-123 which is including the elected claims 26-30 and the original claims were only from 1-112. To clarify this confusion, examiner contacted Mr. Williams for further clarifications, Mr. Williams confirmed that claims 1-123 meant for claims 1-112 are withdrawn which including claims 26-30, and newly amended claims are 124-182.

### ***Response to Election/Restrictions***

2. Newly submitted claims 124-182 directed to an invention that is independent or distinct from the invention originally claimed for the following reasons:

3. New claims 124-182 do not have the same function as group IV, which drawn to error detection/correction and fault detection/recovery is classified in class 714, subclass 43. The new claims 124-182 are drawn to two different inventions, which different from groups I, II, III and IV. Claims 124-136, 172-182 are drawn to driver circuit, which is classified in class 326 subclass 90, and claims 137-171 are drawn to transceiver/receiver, which is classified in class 710 subclass 106. Therefore, claims 124-182 withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

4. The amendment filed on 6/5/03 canceling all claims drawn to the elected invention and presenting only claims drawn to a non-elected invention is non-responsive

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(MPEP § 821.03). The remaining claims are not readable on the elected invention because the new claims 124-182 are not drawn to group IV as discussed above.

Since the above-mentioned amendment appears to be a *bona fide* attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tim T. Vo whose telephone number is 703-308-5862. The examiner can normally be reached on 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Rinehart can be reached on 703-305-4815. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-2100.



Tim T. Vo  
Examiner  
Art Unit 2189

T.V  
July 3, 2003